

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/779,566	KUMURA, TAKAHIRO	
	Examiner Qutub Ghulamali	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- This communication is responsive to 3/30/2006.
- The allowed claim(s) is/are 1-15 and 18 which are now renumbered as claims 1-15 and 16 respectively.
- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - All
  - Some\*
  - None
  - Certified copies of the priority documents have been received.
  - Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- Notice of Informal Patent Application (PTO-152)
- Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- Examiner's Amendment/Comment
- Examiner's Statement of Reasons for Allowance
- Other \_\_\_\_\_.

*jean corrielus*  
JEAN B. CORRIELUS  
PRIMARY EXAMINER  
5-22-06

## **DETAILED ACTION**

1. This Office Action is in response to the amendment filed by the applicant on 3/30/2006.

### ***Response to Amendment/Remarks***

2. Applicant's amendment/remarks filed March 30, 2006, with reference 1-15 and 18, have been fully considered and as a result claims 1-15 and 18 are now indicated allowable. However, in order to advance prosecution in the case, an examiners amendment is considered necessary to correct for some minor deficiencies in the claims. The examiners amendment follows.

## **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Phillip J. Articola on 5/18/2006 and 5/22/2006.

4. The application has been amended as follows:

**IN THE CLAIMS:**

Claim 1, lines 7 and 14, after “said selected larger”, -- ones of said -- has been inserted, respectively.

Claim 1, line 11, after “and calculates”, the word “said” has been deleted.

Claim 2, line 10, after “said selected larger”, -- ones of said -- has been inserted.

Claim 6 (c), line 2, after “said selected larger”, -- ones of said -- has been inserted.

Claim 6 (d), line 2, after “timing data to produce”, the word “said” has been deleted.

Claim 6 (e), line 1, after “said selected larger”, -- ones of said -- has been inserted.

Claims 9 and 12, line 8, after “said selected larger”, -- ones of said -- has been inserted, respectively.

Claim 13, line 10, after “said selected larger”, -- ones of said -- has been inserted.

Claim 15, line 14, after “said selected larger”, -- ones of said -- has been inserted.

Claim 18, lines 7, 12 and 24, after “said selected larger”, -- ones of said -- has been inserted, respectively.

Claim 18, line 9, after “and calculates”, the word “said” has been deleted.

Claim 18, line 11, after “path timings from said”, -- demodulation -- has been inserted.

***Reasons for Allowance***

5. Claims 1-15 and 18 allowed.

6. The following is an examiner's statement of reasons for allowance:

With reference to claims 1, 6, 9, 12, 15 and 18, the prior art of record in combination with other claimed limitations considered as a whole neither teaches nor explicitly disclose, a synchronization apparatus in a spread spectrum system comprising:

a frequency offset estimating section which estimates frequency offsets from said power values and demodulation timing data, and calculates said phase change quantities from the estimated frequency offsets to output to said search section wherein during the calculation of said power values, said search section corrects phases of either said symbols or said power values based on said phase change quantities calculated by said frequency offset estimating section. Such limitations as recited in the independent claims are neither anticipated nor rendered obvious by the prior art of record.

Claims 2-5, 7-8, 10-11 and 13-14, are allowed by virtue of their dependency to claims highlighted above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutub Ghulamali whose telephone number is (571) 272-3014. The examiner can normally be reached on Monday-Friday, 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QG.

May 18, 2006.

*jean b. corrielus*  
JEAN B. CORRIELUS  
PRIMARY EXAMINER

5-22-06